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7 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 CHRISTOPHER ROBERT JOHNSON,

10 Petitioner,

11 v.

12 JEFFREY A. UTTECHT,

13 Respondent.

CASE NO. C19-5688 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation (“R&R”)  
15 of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 12. The Court  
16 having considered the R&R and the remaining record, and no objections having been  
17 filed, does hereby find and order as follows:

18 (1) The R&R is **ADOPTED**;

19 (2) Petitioner’s petition for habeas corpus, Dkt. 7, is **DISMISSED** without  
20 prejudice for failure to exhaust state judicial remedies and as premature;

21 (3) A certificate of appealability is **DENIED**;  
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1 (4) Petitioner's "Motion to Compel Information," Dkt. 9, and "Motion for  
2 Petitioner Initiated Summary Judgment," Dkt. 11, are **DENIED** as moot; and

3 (4) This Clerk shall close this case.

4 Dated this 24th day of October, 2019.

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7 BENJAMIN H. SETTLE  
United States District Judge

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